

TITLE 22. EXAMINING BOARDS
Part 15. Texas State Board of Pharmacy
Chapter 291. Pharmacies
Subchapter A. All Classes of Pharmacies

22 TAC §291.29

The Texas State Board of Pharmacy proposes repeal of §291.29 concerning Exemption from Pharmacy Technician Certification Requirements. The repeal, if adopted, will eliminate a section of the rules that is no longer necessary since the provisions of this section are incorporated into new §297.7 which is proposed in this issue of the Texas Register.

Gay Dodson, R.Ph., Executive Director/Secretary, has determined that, for the first five-year period the repeal is in effect, there will be no fiscal implications for state government as a result of enforcing or administering the rule. There are no anticipated fiscal implications for local government.

Ms. Dodson has determined that, for each year of the first five-year period the rule will be in effect, the public benefit anticipated as a result of enforcing the rule will be the elimination of duplicate rules. There is no fiscal impact anticipated for small or large businesses or other entities required to comply with the rules.

A public hearing to receive comments on the proposed repeal will be held at 9:00 a.m. on Tuesday, November 18, 2003, at the Health Professions Council Board Room, 333 Guadalupe Street, Tower II, Room 2-225, Austin, Texas 78701. Persons planning to present comments to the Board are asked to provide a written copy of their comments prior to the hearing or bring 20 copies to the hearing. Written comments on the proposed repeal may be submitted to Allison Benz, R.Ph., M.S., Director of Professional Services, 333 Guadalupe Street, Suite 3-600, Austin, Texas, 78701, FAX: 512/305-8082, E-mail: allison.benz@tsbp.state.tx.us. Comments must be received by 5 p.m., November 12, 2003.

The repeal is proposed under Section 554.051 of Texas Pharmacy Act, Chapter 551-566, Occupations Code. The Board interprets Section 554.051 as authorizing the agency to adopt rules for the proper administration and enforcement of the Act.

The statutes affected by the repeal: Chapters 551-566 and 568-569, Texas Occupations Code.

The agency hereby certifies that the proposed repeal has been reviewed by legal counsel and found to be a valid exercise of the agency's authority.